

ELECTION/RESTRICTION

Applicants note the position taken by the Examiner concerning the election of species and that the requirement is made final. There is also a statement that a complete reply to a final rejection must include cancellation of non-elected claims or other appropriate action. Reconsideration is requested. The provisions of 37 CFR 1.141(a) preclude the requirement for cancellation of the claims as being contrary to applicants' rights. These provisions provide that, once a claim that is determined to be generic is allowed, claims drawn to species (in addition to the elected species) which include all of the limitations of the generic claim should also be allowed. In other words, if claim 1 is found allowable, there does not appear to be any reason why, for example, claim 15 should not also be allowed. However, if claims 15-28 and 42-67 are cancelled, then they cannot participate in the 37 CFR 1.141 procedure.

INFORMATION DISCLOSURE STATEMENT

Applicants note their inquiry of April 18, 2001 (filed April 23, 2001) concerning the return of PTO-1449 form dated October 19, 1999.